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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,902	12/03/2003	Mitchell Alsup	5500-88700	4177
53806 75	90 11/13/2006		EXAMINER	
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL (AMD) P.O. BOX 398 AUSTIN, TX 78767-0398			FENNEMA, ROBERT E	
			ART UNIT	PAPER NUMBER
			2183	
			DATE MAILED: 11/13/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
10/726,902	ALSUP ET AL.
Examiner	Art Unit
Robert E. Fennema	2183

·	Robert E. Fennema	2183	_				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress				
THE REPLY FILED 23 October 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.							
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in one with 37 CFR 1.114. The reply more	Appeal. To avoid aba idavit, or other evider compliance with 37 C	rce, which FR 41.31; or (3)				
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire is Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THE 06.07(f).	g date of the final rejecti E FIRST REPLY WAS F	on. ILED WITHIN				
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL							
2. The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th					
AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because							
(a) ☐ They raise new issues that would require further co (b) ☐ They raise the issue of new matter (see NOTE belo (c) ☐ They are not deemed to place the application in bet appeal; and/or	nsideration and/or search (see NO w);	TE below);					
(d) They present additional claims without canceling a NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1		ected claims.					
		maliant Amandment	DTOL 224)				
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s):							
Newly proposed or amended claim(s) would be al non-allowable claim(s).		timely filed amendme	nt canceling the				
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed:		ll be entered and an e	explanation of				
Claim(s) objected to: Claim(s) rejected:							
Claim(s) withdrawn from consideration:							
 AFFIDAVIT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 							
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appea y and was not earlier presented. S	al and/or appellant fai ee 37 CFR 41.33(d)(′	ls to provide a l).				
10. ☐ The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER		•					
11. The request for reconsideration has been considered bu		n condition for allowar	nce because:				
12. Note the attached Information Disclosure Statement(s).13. Other:	(PTO/SB/08) Paper No(s)						
			•				

Continuation of 3. NOTE: The proposed amendments would require further search and consideration by the Examiner.

EDDIE CHAN

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2100